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COUNTY OF LOS ANGELES, DEPUTY CRISTINA MARTINEZ,
7 DEPUTY CASEY CHESHER and DEPUTY ADAM PRUITT

8
9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11

12 JAMES (JIM) OWENS,

13 Plaintiff,

14 vs.

15 COUNTY OF LOS ANGELES, DEPUTY
16 MARTINEZ, DEPUTY SHESHIRE, DOES
1-10, inclusive,

17 Defendants.
18

Case No.: CV08-07116 DMG

**DECLARATION OF
CRISTINA MARTINEZ IN
SUPPORT OF
DEFENDANTS' MOTION
FOR SUMMARY
ADJUDICATION OF ISSUES**

Trial Date: October 4, 2010
PTC Date: September 27, 2010

19 I, Cristina Martinez, declare as follows:

20 1. I am a defendant named in the above-entitled lawsuit. The following
21 facts are of my personal knowledge, and if called as a witness, I could competently
22 testify thereto.

23 2. I have been employed by the Los Angeles County Sheriff's Department
24 ("LASD") since May 2000.

25 3. In December 2007, I was assigned as a Deputy to Lennox Station and
26 currently hold that same position.

27 4. On December 15, 2007, at shortly after 11:00 p.m., Los Angeles County
28 Sheriffs Department Lennox Station dispatch received a call from a resident of 4109

1 169th St. in Lawndale regarding suspicious males out in the street.

2 5. I responded to the location and observed Deputy Cheshier contacting a
3 male next to a parked vehicle.

4 6. I also observed Deputy Pruitt speaking with a woman on the sidewalk.

5 7. I did not have any verbal or physical interaction with Mr. Owens.

6 8. I believe that my actions, as well as those of Deputy Cheshier and
7 Deputy Pruitt, during this encounter were reasonable and justified under the
8 circumstances and did not violate any clearly established law.

9 9. At some point after this encounter, I was contacted by Lieutenant
10 Barse as part of an investigation of a citizen complaint arising out of this incident.
11 Pursuant to his request, I prepared a memorandum regarding my involvement and
12 observations. Attached hereto and incorporated by reference as Exhibit A is a true
13 and correct copy of my correspondence to Lt. Barse dated January 5, 2008.

14 I declare under penalty of perjury under the laws of the United States of
15 America that the foregoing is true and correct.

16 Executed on this 19th day of July, 2010, at Los Angeles, California.


17
18 
19 Cristina Martinez

EXHIBIT “A”

751551K25A - SH-AU-32A (2/72) -

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

"A Tradition Of Service"

DATE: 01/05/08

OFFICE CORRESPONDENCE

FILE NO.

FROM: DEPUTY MARTINEZ, C. # 471267 TO: LIEUTENANT BEARSE

SUBJECT: 12-15-07 2336 HRS, TAG 163

ON 12-16-07, I RESPONDED TO THE 4100 BLOCK OF 169TH ST. (TAG 163) REGARDING A MAN ACTING SUSPICIOUSLY IN THE STREET CALL.

AS I ARRIVED I SAW DEP. CHESHER CONTACTING A MALE WHITE (LATER IDENTIFIED AS MR. OWENS) NEXT TO A PARKED VEHICLE. I WATCHED AS DEP. CHESHER CONDUCTED A CURSORY SEARCH OF MR. OWENS PERSON.

DEP. CHESHER THEN HAD MR. OWENS SIT IN THE REAR SEAT OF HIS PATROL VEHICLE WHILE HE CONDUCTED HIS INVESTIGATION. I STOOD NEXT TO DEP. CHESHER'S PATROL VEHICLE AS HE SPOKE TO MR. OWENS.

AFTER A FEW MINUTES, DEP. CHESHER COMPLETED HIS INVESTIGATION AND DETERMINED NO CRIME HAD OCCURRED. MR. OWEN'S EXITED THE PATROL VEHICLE AND GATHERED HIS PROPERTY.

A FEMALE WHITE CAME OUT OF 4147 169TH ST. AND STOOD ON THE SIDEWALK. I SAW DEPUTY PRUITT SPEAKING WITH HER AS DEPUTY CHESHER WAS TALKING TO MR. OWENS IN HIS PATROL VEHICLE.

AS DEP. CHESHER EXITED HIS VEHICLE THE FEMALE CONTACTED HIM. SHE IDENTIFIED HERSELF AS MR. OWEN'S GIRLFRIEND AND WANTED TO KNOW WHAT WAS GOING ON. DEP. CHESHER EXPLAINED TO BOTH OF THEM THE NATURE OF THE CALL AND WHAT HE SAW UPON HIS ARRIVAL.

MR. OWEN'S AND HIS GIRLFRIEND HAD NO ADDITIONAL QUESTIONS OR COMPLAINTS AND WE LEFT THE SCENE WITHOUT INCIDENT.